

SENATE BILL 376

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M3

2001 Regular Session
(11r1548)

ENROLLED BILL

-- *Economic and Environmental Affairs/Environmental Matters* --

Introduced by **Senators Stone and Collins**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this
____ day of _____ at _____ o'clock, ____ M.

President.

CHAPTER _____

1 AN ACT concerning

2 **Environment - Noise Inspectors**

3 FOR the purpose of requiring the Department of the Environment to employ a certain
4 number of noise inspectors to enforce certain sound level limits and noise control
5 regulations; authorizing noise inspectors to issue civil citations for certain
6 violations; establishing a maximum civil penalty that may be imposed on
7 violators who are issued certain civil citations; providing that certain civil
8 penalties are in addition to certain other penalties; and authorizing a right of
9 appeal under certain circumstances.

10 BY adding to
11 Article - Environment
12 Section 3-403.1
13 Annotated Code of Maryland
14 (1996 Replacement Volume and 2000 Supplement)

1 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
2 MARYLAND, That the Laws of Maryland read as follows:

3 **Article - Environment**

4 3-403.1.

5 (A) THE DEPARTMENT SHALL EMPLOY ~~THREE~~ TWO NOISE INSPECTORS TO
6 ENFORCE THE SOUND LEVEL LIMITS AND NOISE CONTROL REGULATIONS ADOPTED
7 UNDER THIS TITLE.

8 (B) A NOISE INSPECTOR EMPLOYED BY THE DEPARTMENT MAY ISSUE A CIVIL
9 CITATION TO A PERSON FOUND IN VIOLATION OF THIS TITLE OR ANY SOUND LEVEL
10 LIMIT OR NOISE CONTROL REGULATION ADOPTED UNDER THIS TITLE.

11 (C) (1) (I) A PERSON WHO VIOLATES THIS TITLE OR A REGULATION
12 ADOPTED UNDER THIS TITLE AND IS ISSUED A CIVIL CITATION UNDER SUBSECTION
13 (B) OF THIS SECTION IS SUBJECT TO A CIVIL PENALTY OF NOT MORE THAN \$500.

14 (II) THE CIVIL PENALTY UNDER THIS SUBSECTION IS IN ADDITION
15 TO PENALTIES AUTHORIZED UNDER § 3-406 OF THIS SUBTITLE.

16 (2) ANY MONEY COLLECTED UNDER THIS SUBSECTION SHALL BE
17 DEPOSITED INTO THE GENERAL FUND OF THE STATE.

18 (3) ANY PERSON ISSUED WITH A CITATION UNDER THIS SUBSECTION
19 MAY APPEAL THE CITATION TO THE OFFICE OF ADMINISTRATIVE HEARINGS IN
20 ACCORDANCE WITH § 10-205 OF THE STATE GOVERNMENT ARTICLE.

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
22 October 1, 2001.